



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 14, 2005

HENKEL CORPORATION
THE TRIAD, SUITE 200
2200 RENAISSANCE BLVD.
GULPH MILLS, PA 19406
US

Dear Sir/Madam,

Your refund request for 10691427 in the amount of \$130.00 has been denied .

Pto did not charge for a processing fee. The \$130.00 is for the sur charge. The fee was necessary because the signed oath did not come in until 03/24/04

Sincerely,

ELEANOR KURTZ
Technical Center Others

PATENT

Docket No. H 5165 PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wolff et al.
Appl. No.: 10/691,427
Filed: October 22, 2003
Grp./A.U.: 1751
Examiner: Eisa B. Elhilo
Customer No.: 00423
Confirm. No.: 7828
Title: ACTIVE INGREDIENT COMBINATIONS FOR HAIR-
DYEING AGENTS

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CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being facsimile transmitted
to the U S Patent and Trademark Office at 703-308-5077

5/27/05
Date

Iris M. Grogins
Signature of Certifier

Iris M. Grogins
Typed or printed name of certifier

Mail Stop 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND OF PROCESSING FEEUNDER 37 CFR 1.17(I)

Petitioner hereby requests a refund in the amount of \$130.00 submitted in payment of a processing fee under 37 CFR 1.17(1) in the above-referenced application. The request for suspension of action of three months on the above-identified application was overlooked by the Examiner (copies of the documents as filed are attached).

27-May-05 09:42

From-HENKEL CORPORATION PATENT DEPT,


6102786548

T-717 P.04/13 F-660

Appl. No.: 10/691,427
Docket No.: H 5165 PCT/US

Accordingly, Petitioner hereby requests a refund in the full amount previously paid to be credited to Deposit Account Number 01-1250.

Respectfully submitted,


Stephen D. Harper
(Reg. No. 33,243)
Attorney for Applicants
610-278-4927

SDH/img
Attachments

Henkel Corporation
Patent Law Department
2200 Renaissance Blvd., Suite 200
Gulph Mills, PA 19406

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 6102786548

Fax Information

Date Received:

4/4/2005 1:58:49 PM (Eastern Daylight Time)

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Received
Cover
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=====>

27-May-05 09:43 From-HENKEL CORPORATION PATENT DEPT. 6102786548 T-717 P.05/13 F-660

(Henkel)
A Brand like a friend

To: Mail Stop RCE
Commissioner for Patents

From: (703) 872-8306
Stephen D. Harper

Pages: 7 (including cover page)
Date: April 4, 2005

Phone: (610) 278-4828
Fax: (610) 278-4846

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Docket No. M 5165 PCT/US
RE: West et al
Application No. 10/491,427
Examiner: Essie B. Elkins
Grp JAM LNA
Confirmation No. 7828

- Request for Continued Examination (RCE) Transmittal (1 page)
- Processing Fee Transmittal (1 page)
- (1) Month Extension of Time (1 page)
- Supplemental Information Disclosure Statement (2 pages)
- PTO-Form 1449 (1 page)

Henkel Corporation
Patent Department
3200 Parkside Blvd. Ste 300
Bryn Mawr, PA 19005 USA
www.henkel.us

PAGE 17 • REC'D AT 4/4/2005 1:58:49 PM (Eastern Daylight Time) • 6102786548 • 05/13/05 • CSD 6102786548 • DURATION 07:05:41 02:34

27-May-05 09:43

From: HENKEL CORPORATION PATENT DEPT.

6102786548

T-717 P.06/13 F-660

Confirmation Report-Memory Send

Time : 04-Apr-05 14:03
Tel line 1 : 610-278-6548
Tel line 2 : 6102786548
Name : HENKEL CORPORATION PATENT DEPT.

Job number : 145
Date : 04-Apr 14:01
To : 17038729306
Document Pages : 07
Start time : 04-Apr 14:01
End time : 04-Apr 14:03
Pages sent : 07
Job number : 145

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Henkel

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To : Mail Stop RCE
Cc : Commissioner for Patents

From : (703) 872-9306
Stephen D. Harper

Pages : 7 (including cover page)
Date : April 4, 2005

Date

Phone : (610) 278-4826
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Docket No.: H 6185 PCT/US
RE: Waiff et al
Application No.: 10/691,427
Examiner: Lisa B. Elhilo
Grp./Art Unit: 1751
Confirmation No.: 7828

- Request for Continued Examination (RCE) Transmittal (1 page)
- Processing Fee Transmittal (1 page)
- (1) Month Extension of Time (1 page)
- Supplemental Information Disclosure Statement (2 pages)
- PTO-Form 1448 (1 page)

Henkel Corporation
Patent Department

2200 Riverchase Blvd Ste 200
Birmingham, AL 35244 USA

www.henkel.us

Henkel*A Brand Like a Friend*

To Mail Stop RCE
Commissioner for Patents

Cc

Fax (703) 872-9306
From Stephen D. Harper

Dept.

Pages 7 (including cover page)
Date April 4, 2005

Phone (610) 278-4926

Fax (610) 278-6548

E-mail

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Docket No.: H 5165 PCT/US
RE: Wolff et al.
Application No.: 10/691,427
Examiner: Eisa B. Elhilo
Grp./Art Unit: 1751
Confirmation No.: 7828

- Request for Continued Examination (RCE) Transmittal (1 page)
- Processing Fee Transmittal (1 page)
- (1) Month Extension of Time (1 page)
- Supplemental Information Disclosure Statement (2 pages)
- PTO-Form 1449 (1 page)

Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/691,427
	Filing Date	October 22, 2003
	First Named Inventor	Wolfgang WOLFF
	Art Unit	1751
	Examiner Name	Eisa B. Eihilo
	Attorney Docket Number	H 5165 PCT/US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other (1) Month Extension of Time Processing Fee Transmittal
2. **Miscellaneous**
- a. ☒ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of three months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1250, Order No. 05-0139. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e) (\$700; Order No. 05-0139)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) (\$120; Order No. 05-0140)
- iii. ☒ Other Processing Fee (37 CFR 1.17(i)) (\$130; Order No. 05-0141)
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>Stephen D. Harper</i>	Date	4/4/05
Name (Print/Type)	Stephen D. Harper	Registration No.	33,243

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to (703) 872-9306 at the U.S. Patent and Trademark Office on the date shown below.			
Signature	<i>Iris M. Grogins</i>	Date	
Name (Print/Type)	Iris M. Grogins	Date	4/4/05

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PROCESSING FEE **Under 37 CFR 1.17(i)** **TRANSMITTAL**

(Fees are subject to annual revision)
Mail Stop RCE, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/691,427
Filing Date	October 22, 2003
First Named Inventor	Wolfgang WOLFF
Art Unit	1751
Examiner Name	Eisa B. Elhilo
Attorney Docket Number	H 5165 PCT/US

Enclosed is a paper filed under 37 CFR § 1.114 [§1.103(c)] that requires a processing fee (37 CFR 1.17(i)).

Payment of \$_____ is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop if applicable. For transmittal of petition fees under 37 CFR 1.17(i), (j) or (k), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 01-1250:
- ☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments
- Enclose a duplicate copy of this form for fee processing.

☐ Check in the amount of \$_____ is enclosed

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed) Do not provide credit card information on this form.

Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,
Except for § 1.221 papers (Fee Code 1803)

For papers filed under:

- § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.99(a) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. Fee Code 1803
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.


Signature

Stephen D. Harper
Typed or printed name

4/4/05
Date

33,243
Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.16. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4812))

Docket Number (Optional)

H 5165 PCT/US

Application Number 10/691,427

Filed October 22, 2003

For ACTIVE INGREDIENT COMBINATIONS FOR HAIR-DYEING AGENTS

Art Unit 1751

Examiner Eisa B. Enlo

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$120
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2180	\$1080	\$

☐ Applicant claims small entity status. See 37 CFR 1.27

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2338 is attached.

☐ The Director is already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 01-1250 Order Number: 05-0140 I have enclosed a duplicate copy of this sheet

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2338.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 33243

☐ attorney or agent under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

Stephen D. Harper
Signature

Stephen D. Harper

Typed or printed name

4/4/05
Date

(610) 278-4927

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 form(s) is/are submitted

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9129 and select option 2

PATENT
Docket No. H 5165 PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wolff et al. Art Unit: 1751
Appl. No.: 10/691,427 Examiner: Eisa B. Elhilo
Filed: October 22, 2003 Customer No.: 00423
Title: ACTIVE INGREDIENT COMBINATIONS FOR HAIR-
DYEING AGENTS

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Under 37 C.F.R. §§ 1.56 and 1.97(b) Applicants disclose to the Examiner the document listed on the attached IDC form PTO-1449. Applicants have omitted the copy of the cited U.S. reference as waived under 37 C.F.R. § 1.98(a)(2)(i). Applicants respectfully ask the Examiner to consider the document and note that consideration where provided on the IDC.

This Statement does not represent that a search was made or that no better art exists and does not constitute an admission that the listed document is material or constitutes prior art. Therefore Applicants reserve the right to present to the Examiner the relevant facts and law regarding the status of the listed document. Applicants further reserve the right to take appropriate action to

27-May-05 09:45

From-HENKEL CORPORATION PATENT DEPT.

8102786548

T-717 P.12/13 F-660

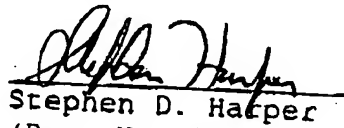
Appl. No. 10/691,427

Docket No. H 5165 PCT/US

establish patentability of the claimed invention over the listed document, should any be applied against the claims.

This Statement is being filed along with the RCE, and therefore no fee for submitting this Supplemental Information Disclosure Statement is due. However, the Commissioner is hereby authorized to charge Deposit Account No. 01-1250 if any fee under 37 C.F.R. § 1.17(p) is needed to have this statement entered and the references considered by the Patent and Trademark Office.

Respectfully submitted,



Stephen D. Harper
(Reg. No. 33,243)
Attorney for Applicants
610-278-4927

SDH/img

Henkel Corporation
Law Department
2200 Renaissance Boulevard, Suite 200
Gulph Mills, PA 19406

Enclosures

1. PTO-1449

PTO/5B/08A (10-01)

Approved for use through 10/31/2004 OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1-49A/PTO

**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number	10/691,427
Filing Date	October 22, 2003
First Named Inventor	Wolfgang WOLFF
Art Unit	1751
Examiner Name	Eisa B. Elhilo
Attorney Docket Number	H 5165 PCT/US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number - Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,572,665	6/3/03	Lim et al	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Documents Country Code* Number* - Kind Code* (if known)	Publication Date MM-DD-YYYY	Country	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	Y ¹

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published	Y ¹

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 *Applicant's unique citation designation number (optional). *See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 18 if possible. *Applicant is to place a check mark here if English Language Translation is attached.
 Burden Hour Statement: This form is estimated to take 20 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.

27-May-05 08:42

From-HENKEL CORPORATION PATENT DEPT.

6102786548

T-717 P.01/13 F-660

Henkel

A Brand like a friend

To Mail Stop 16
Director of US Patent and Trademark Office

Cc

Fax (703) 308-5077
From Stephen D. Harper

Dept

Pages 13 (including cover page)
Date May 27, 2005

Phone (610) 278-4927
Fax (610) 278-6548
E-mail

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AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Docket No H 5165 PCT/US
RE: Wolff et al.
Application No.: 10/691,427
Examiner: Eisa B. Elhilo
Grp./Art Unit: 1751
Confirmation No.: 7828

- Transmittal Form (1 page)
- Request for Refund (2 pages)
- Proof of Documents as previously filed on 4/4/2005 (9 pages)

Henkel Corporation
Patent Department

2200 Renaissance Blvd., Ste. 200
Gulph Mills, PA 19406 USA

www.henkel.us

27-May-05 09:42

From-HENKEL CORPORATION PATENT DEPT.

6102786548

T-717 P.02/13 F-660

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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

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Total Number of Pages in This Submission	Application Number	10/691,427
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	First Named Inventor	Wolfgang WOLFF
	An Unit	1751
	Examiner Name	Eisa B Elhilo
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